

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CHAUNCEY GIRARD,

Plaintiff,

AFFIDAVIT

-against-

Case No.: 20-cv-5883

MICHAEL BLOT (SGT.). KAIE LAMANNA (SUPT.),
CHAUNTEL ELMORE (SGT.). FRANK POLITO (CO),
ELVIS RIOS (CO), EDWIN UZU (DR.). TINA TOMAS
(JANE DOE), and ERIC GUTTWEIN (COMM),

Defendants.

STATE OF NEW YORK)
) ss.:
COUNTY OF ALBANY)

RACHAEL SEGUIN, being duly sworn, deposes and says:

1. I am the Director of the Incarcerated Grievance Program for the New York State Department of Corrections and Community Supervision (hereinafter "DOCCS" or the "Department"). I submit this Affidavit to explain the process used to research the incarcerated individual ("I/I") grievances demanded by Plaintiff Chauncey Girard's attorney in the above captioned matter.

2. I was asked to provide any and all grievances filed by the incarcerated individuals who have filed lawsuits against the Defendants in this action.

3. Specifically, for Defendant Michael Blot, I searched for any grievance filed by George Lunney, Delano Sedney, Michael Melendez, Nathaniel Sims, Willie Bright, Martin L. Baskerville, Tyrone Haywood, Jerry Perez, John Hamlett, and Michael Ruiz.

4. For Defendant Frank Polito, I searched for any and all grievances filed by Darnell Green.

5. I did not find any grievances related to the I/I's listed.

6. Although grievances may have been filed by the specific individuals listed above prior to filing of their lawsuits, the timeframes for maintaining grievances is the current calendar year and the previous four calendar years. Accordingly, the grievances, if any, would no longer be available.

7. I was also asked to provide grievances for Defendants issued by any I/I for five years prior to the incident date, July 31, 2018, to present which allege that the Defendants engaged in excessive force.

8. Incarcerated individual grievances, both at the facility and Central Office levels, are not tracked by staff names as the Incarcerated Grievance Program is a non-adversarial process.

9. The only grievances that can be searched in an attempt to identify staff are Code 49 – Staff Conduct complaints which have basic information entered into a Superintendent Grievance Tracking (SGT) system, which is separate and distinct from the Incarcerated Grievance Program logs and is utilized only by facility Executive staff for tracking purposes only. Incarcerated Grievance Program staff do not and should not have access to it.

10. I did research all I/I grievances within the guidelines provided and there were no results for employees Chauntel Elmore, Frank Polito or Elvis Rios responsive to Plaintiff's demand.

11. I provided a list of grievances filed against Defendant Blot at both Green Haven Correctional Facility and Attica Correctional Facility which are responsive to Plaintiff's discovery demand.

Dated: July 25, 2023.

Rachael Seguin
Rachael Seguin, Director
Incarcerated Grievance Program
New York State Department of Corrections and
Community Supervision

Sworn to before me this
25th day of July 2023.

Eileen A. Callaghan
Notary Public, State of New York

